

1 PHILLIP A. TALBERT
Acting United States Attorney
2 CHRISTOPHER G. HARRIS
Acting Regional Chief Counsel, Region VI
3 Social Security Administration
KENDALL M. REES, WA Bar No #20030
4 Special Assistant United States Attorney
Office of the General Counsel – Suite 350
5 Social Security Administration
6 1301 Young St., Mailroom 104
7 Dallas, TX 75202
Telephone: (214) 767-3757
8 E-Mail: Kendall.rees@ssa.gov
Attorneys for Defendant
9

10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12
13 EMILY WEIMORTZ,) No. 2:21-cv-0565-DB
14 Plaintiff,)
15 vs.) STIPULATION TO VOLUNTARY
16) REMAND PURSUANT TO SENTENCE
17) FOUR OF 42 U.S.C. § 405(G) AND TO
18) ENTRY OF JUDGMENT; AND ORDER
19 KILOLO KIJAKAZI,¹)
Acting Commissioner of Social Security,)
Defendant.)

20
21 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant Kilolo
22 Kijakazi, Acting Commissioner of Social Security (“Defendant”), through their undersigned
23 counsel of record, that the above-entitled action shall be remanded to the Commissioner of
24 Social Security for further administrative proceedings. The parties further request that the Court
25 direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against
26 _____

27 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant
28 to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted,
therefore, for Andrew Saul as the defendant in this suit. No further action need to be taken to
continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42
U.S.C. § 405(g).

1 Defendant, reversing the final decision of the Commissioner. This stipulation constitutes a
2 remand under the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C.
3 405(g).

4 Respectfully submitted this 21st day of January 2022.

5
6 Dated: January 21, 2022

**/s/ Jared Walker*

Jared Walker

Attorney for Plaintiff

*Authorized via e-mail on January 21, 2022

9 PHILIP A. TALBERT

Acting United States Attorney

11 CHRISTOPHER HARRIS

Acting Regional Chief Counsel, Region VI

Social Security Administration

13 By: */s/ Kendall Rees*

KENDALL REES

Special Assistant United States Attorney

16 Attorneys for Defendant

17 **ORDER**

18 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42
19 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT**
20 **IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social
21 Security for further proceedings consistent with the terms of the Stipulation to Remand. The
22 Clerk of the Court shall enter final judgment in favor of Plaintiff, and against Defendant,
23 reversing the final decision of the Commissioner.

24 Pursuant to the parties' stipulation, IT IS SO ORDERED.

25 DATED: January 25, 2022

/s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE